

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI

IN RE: Evelyn Jean Chatman
DEBTOR

CHAPTER 7
CASE NO. 07-10188-NPO

APPLICATION FOR AUTHORITY TO SELL
PROPERTY OF BANKRUPTCY ESTATE

COMES NOW Jeffrey A. Levingston, duly appointed, qualified and acting Chapter 7 Trustee for the above Debtors' estate, and would move the Court for authority to sell certain real property and would show unto the Court as follows, to-wit:

1. On or about January 18, 2007, the above Debtor filed for protection under Chapter 7 of the Bankruptcy Code.
2. Debtor listed on Schedule A – Real Property “404 South Beauchamp, Greenville, Mississippi, 38703”, indicating a value of “Unknown”. Debtor listed on Schedule B- Personal Property an “Interest in Chatman Auto and Upholstery”, indicating a value of \$0.00; “Office equipment, furnishings and supplies”, indicating a value of \$200.00; “Machinery, fixture, equipment and supplies used in business”, indicating a value of \$200.00; “Headliner Material”, indicating a value of \$140.00; “Regions Bank/Checking”, indicating a value of \$10.00; and “Regions Bank/Savings”, indicating a value of \$60.00.
3. All of the property listed above is unencumbered and was claimed as exempt under MCA §85-3-1(a) on Schedule C, to which the undersigned Trustee objected. The order disallowing the exemptions was entered on May 1, 2007. Thereafter, Trustee received a copy of an appraisal of the real property at 404 South Beauchamp, consisting

of approximately 0.228 acres, which indicated a value of \$24,000.00. However, upon obtaining a copy of the full legal description for the property, Trustee became aware that the Debtor only owned a one-fifth (1/5) interest therein, sharing ownership with her four children. Thus, an asset of the bankruptcy estate is the unencumbered one-fifth (1/5) interest in the business property located at 404 South Beauchamp, Greenville, Mississippi, valued at \$4,800.00, being one-fifth (1/5) of the appraised value of \$24,000.00. Other assets of the bankruptcy estate consist of the office equipment, valued at \$200.00; the machinery, fixtures, equipment and supplied used in the business, valued at \$200.00; headliner material, valued at \$140.00; and the checking and savings accounts at Regions Bank, valued jointly at \$664.00.

4. An offer for purchase of the one-fifth interest in the real property and the balance of the other assets has been made by Anthony Chatman, the Debtor's son, in the amount of \$6,000.00, which amount will inure to the benefit of unsecured creditors.

4. Considering the location of the real property and the current economy, the undersigned Trustee is of the opinion that the said \$6,000.00 offer is reasonable, is in the best interest of the bankruptcy estate and should be accepted.

WHEREFORE, PREMISES CONSIDERED, the undersigned prays that notice of this application be issued to all creditors requiring them to file an objection, if any there be, and if no objection is filed, this Court pass on same without a hearing or if objections are filed, then upon hearing of this matter the Trustee be authorized, empowered and directed to execute any and all documents necessary to effect transfer of the aforesaid real and personal property to Anthony Chatman, free and clear of liens, if any, with any liens

to attach to the proceeds of the sale, to accept the sales proceeds, and to retain said funds on deposit for administration for the benefit of unsecured creditors.

THIS the 16th day of November, 2009.

Respectfully submitted,

//s// Jeffrey A. Levingston
Jeffrey A. Levingston, Trustee
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MSB No. 1219

CERTIFICATE OF SERVICE

I, the undersigned, Jeffrey A. Levingston, Trustee, do hereby certify that I have served the above and foregoing Application for Authority to Sell Property of Bankruptcy Estate by either United States mail, postage prepaid, or by electronic transmission to the following:

Robert E. Buck, Esquire
Attorney for Debtor
PO Box 604
Greenville, MS 38701
rebuck201@suddenlink.net

Mr. Anthony Chatman
c/o Robert E. Buck, Esquire
PO Box 604
Greenville, MS 38701

Ronald H. McAlpin, Esquire
Assistant US Trustee
100 West Capitol Street, Suite 706
Jackson, MS 39269
Ronald.McAlpin@usdoj.gov

This the 16th day of November, 2009.

//s/ Jeffrey A. Levingston
Jeffrey A. Levingston